

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2007 JUL 25 PM 2:26

CLERK *[Signature]*  
SO. DIST. OF GA.

EUGENE THOMAS,

Plaintiff,

v.

CIVIL ACTION NO.: CV506-072

TODD THOMAS, Warden; Senior Sgt.  
BOATRIGHT, and Counselor  
STEPHANIA GRAHAM,

Defendants.

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

The Motion for Summary Judgment filed by Defendants Thomas and Graham is **GRANTED** in part and **DENIED** in part. Plaintiff's claims against Stephanie Graham are **dismissed**. Plaintiff's excessive force claim against Defendant Thomas is also **dismissed**. Plaintiff's retaliation claims against Defendant Thomas remain pending.

SO ORDERED, this 25<sup>th</sup> day of July, 2007.

*[Signature]*  
WILLIAM T. MOORE, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA